

K-50

Kent County Courthouse
High Street, Chestertown
1707, 1860

Two of the most controversial issues concerning the history of Kent County involve the locations of its first two courthouses. New Yarmouth, the 17th Century settlement which was the seat of Kent County government between 1680 and 1696 vanished many years ago. Its location (and subsequently the location of its courthouse) was the subject of an article written in 1940 by Robert L. Swain, Jr. A second courthouse is reported to have existed between the years 1696 and 1707 and likewise its location is disputed.

Morris Radoff in his work on Maryland courthouses states that while there are no records which describe the courthouse at New Yarmouth, there is a small amount of information regarding the courthouse which followed. Reasoning for the change in location of the courthouse in 1696 stems from the fact that the county boundaries were altered and New Yarmouth no longer remained central to the majority of the county's population. It was in 1696 that the Maryland Assembly authorized

"the Commissioners of the County of Kent to purchase three acres of land whereon to build a Courthouse . . ."¹

" . . . on the north side of the Chester River between the Plantations of Edward Fry and Isaac Caulk beginning at a bounded Persimon tree standing by the river side and running from thence North northwest seventeen perches then west southwest twenty six perches unto a small cove and down with the said cove and up the River until it intersects a line drawn

south southeast from said Persimon tree and with the said line North northwest to the first bounded tree containing and laid out for three acres . .
."2

This location appears to have been on "Utrick", part of a parcel which was given to Elizabeth Fry in 1692 by her father, Cornelius Comegys. (Its present location would be west of the village of Quaker Neck Landing.)

The Commissioners contracted with John Sutton to build the courthouse, which was ready for use by March of 1697/98. In a report to the Assembly, it is stated:
"that in Kent Conty there is no Ordinary near the Court House, it is built with a wooden chimney and the Records are Generally kept att the Clerks house unless in Court times."³

This basic courthouse was most likely similar to other buildings of the period, with walls and roof covered with riven oak clapboard. The wooden chimney is a feature it had in common with the Baltimore County Courthouse of the same period.

In 1706, after at least two years of petitions to the Legislature by residents of Cecil, Kent and Talbot Counties for a more equitable division of land, the Legislature authorized the formation of a new county called Queen Ann's. In the process of this Act, their boundaries were of course altered. Certainly the culmination of their wishes would be a large impetus to build a new courthouse in a location that was even more centrally located in the "new" County of Kent. The other three counties were to establish new "seats of Judicature" within a very short period of time.

There was a great controversy centered around the establishment of the "port of entry" which would be authorized in the Act for Advancement of Trade and Erection of Ports (1706). In 1707 its location was changed from Mr. Joce's plantation to that of Simon Wilmer (both were located within the original Stepney tract). According to the Kent County Court Proceedings, 6 Aug. 1707, court was "held at Courthouse at ye Town and Port of Chester . . ."

The controversy as to exact locations of these first two courthouses will most likely continue, but the fact is that there was a courthouse at Chestertown by 1707 and it existed for only 12 years before it was set afire by one Charles Hill. Apparently the fire took its toll, for it took 55,000 pounds of tobacco and over a year for the courthouse to be reconstructed. Radoff suggests that it was built anew. It is probable that a portion of that 1721 building remained until the time of the Martinet Map (1860).

From the crude sketch on that map the building appears to have had a plan similar to the courthouse at the Capital in Williamsburg, with a curved end. In form it might have been similar to St. Paul's Church, built 10 years earlier, with the apse being wider. Its roof looks as though it was hipped over a rectangular portion of the building, with a conical roof over the 'apse' tapered into the hip. How the building was used has not been recorded, but parallels could be drawn to the one room at Williamsburg and the simple one room building constructed for Queen Annes County at Queenstown.

In 1750 the County officials petitioned the Legislature for 50,000

pounds of tobacco for repair and enlargement of the courthouse.⁴ No county records have survived from this period. It is not until 1774 that the appearance of the courthouse is briefly described by Philip Fithian on his journey home to New Jersey from tutoring in Virginia. In his journal he writes:

"Rode home from Rock Hall over a delightful part of the country to Chester-Town 13 Miles – this is a beautiful small Town on a River out of the Bay navigable for Ships. The situation is low and I apprehend it is subject to summer Fevers – It has an elegant I may say grand Court-House, in which is the town clock . . ." ⁵

By the 1790's, the courthouse was in need of repair and enlargement. In 1798, as recorded in both the Archives of Maryland and the Maryland Gazette, the Legislature authorized building a record office in Kent County. It is perhaps the record office that is represented in the Martinet map sketch to the right of the old courthouse. On the map itself, it seems that this other building faced south rather than southwest to the street.

On the same map (1860) a separate building is indicated and called the "Registrar's Office." This is perhaps the result of the State Legislature authorizing the County \$700 to repair the offices of the Clerk of the Court and Register of Wills in the early 1830's.

In 1860, the old courthouse and Register's Office were torn down and replaced by a new building to house all of the County offices under one roof. It was designed in the current Italianate style and looked similar to the Frederick County Courthouse on a smaller scale. The walls were finished

with smooth cut brick with narrow mortar joint. At the corners were buttress like pilasters. Between the pilasters and central pavilion, beneath a bracketed cornice, were a series of brick corbels. Gauged jack arches were used above the shuttered first floor windows, while gauged segmental arches were used above the unshuttered window above. Its central entrance had double doors, sidelights and transom in a pedimented architrave. The pediment echoed the lines of the pavilion roof. A date plaque was installed above the double windows, "1860". The building had a "T" plan with offices flanking the grand double stair to the second floor on the High Street side. A minor passage through the back with flanking vaults and storage rooms were located beneath the second floor courtroom.

In 1912 and 1937 the building was enlarged in the same style as the original building, but in 1969, the new addition which nearly doubled its size was designed in the "Colonial" style that was in vogue then. Since 1969 there have been no major additions or deletions. Only the removal of the 1883 jail and landscaping of the Cross Street yard have been done in an effort to create a new entrance.

1. Archives of MD, Vol. XIX, 30 April 1696.
2. Land Records, Lib. C, fol. 119.
3. Archives of MD, Vol. XXII, p. 102.
4. Radoff, Morris K., The County Courthouses and Records of Maryland. Vol. 1. Annapolis: Hall of Records, 1960.
5. Diary of Philip Vickers Fithian - April 1774.

Kent County Court House

Chestertown, Md.

public offices and document repository

The 1860 Victorian Italianate building is the significant of the two wings, for its style of the period, rather than "colonializing", and for its being on the site of the original Court House for the County. Kent County is fortunate to have many of its early records and they are available for use in this building.

INVENTORY FORM FOR STATE HISTORIC SITES SURVEY

1 NAME

HISTORIC

K-50

AND/OR COMMON

Kent County Court House

2 LOCATION

STREET & NUMBER

High and Cross

CITY, TOWN

Chestertown

VICINITY OF

CONGRESSIONAL DISTRICT

First

STATE

Md.

COUNTY

Kent

3 CLASSIFICATION

CATEGORY

☐ DISTRICT
☒ BUILDING(S)☐ STRUCTURE☐ SITE☐ OBJECT

OWNERSHIP

☒ PUBLIC
☐ PRIVATE☐ BOTH

PUBLIC ACQUISITION

☐ IN PROCESS☐ BEING CONSIDERED

STATUS

☒ OCCUPIED☐ UNOCCUPIED☐ WORK IN PROGRESS

ACCESSIBLE

☒ YES: RESTRICTED, during☐ YES: UNRESTRICTED open hours☐ NO

PRESENT USE

☐ AGRICULTURE☐ COMMERCIAL☐ EDUCATIONAL☐ ENTERTAINMENT☒ GOVERNMENT☐ INDUSTRIAL☐ MILITARY☐ MUSEUM☐ PARK☐ PRIVATE RESIDENCE☐ RELIGIOUS☐ SCIENTIFIC☐ TRANSPORTATION☐ OTHER**4 OWNER OF PROPERTY**

NAME

Citizens of Kent County

Telephone #: -

STREET & NUMBER

maintained by Kent County Commissioners

CITY, TOWN

Chestertown

VICINITY OF

STATE, zip code

Md. 21620

5 LOCATION OF LEGAL DESCRIPTION

COURTHOUSE,

The County Courthouses and Records
of Md., Part 1 & 2

REGISTRY OF DEEDS, ETC.

Liber #:

Folio #:

STREET & NUMBER

by Morris L. Radoff, Pub. #12, The Hall of Records Commission

CITY, TOWN

State of Md., Annapolis, 1960

STATE

6 REPRESENTATION IN EXISTING SURVEYS

TITLE

none known

DATE

☐ FEDERAL ☐ STATE ☐ COUNTY ☐ LOCALDEPOSITORY FOR
SURVEY RECORDS

CITY, TOWN

STATE

7 DESCRIPTION

K-50

CONDITION

☒ EXCELLENT

☐ GOOD

☐ FAIR

☐ DETERIORATED

☐ RUINS

☐ UNEXPOSED

CHECK ONE

☐ UNALTERED

☒ ALTERED by
addition

CHECK ONE

☒ ORIGINAL SITE

☐ MOVED

DATE _____

DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

The present oldest section of the Court House, built in 1860, is in the Victorian Italianate style. There are brackets on the cornice and also extruded brick work at this upper level.

The building is 5 bays across the front or High St. facade, with a central doorway. The depth of the building is also 5 bays, however there is a greater distance between each window. Windows on the first floor have cantilevered bricks at their top, while those of the 2nd floor have cantilevered arches. Sills of the windows appear to be stone. All are 6/6 double hung.

Between each bay ^{on the sides} are vestigial buttresses, and on the High St. facade are brick pilasters at each corner and on either side of the doorway bay. The roof is basically flat and appears to be of seamed tin, however, there is a pedimented center over the High St. doorway, and this roof is a very slight A.

Toward Maple Ave., in a northerly direction, a "colonial" addition has been attached. Presently it houses the main entrance and this doorway is only a few feet from the jail, which hides a large part of this larger than the Victorian section, addition,

CONTINUE ON SEPARATE SHEET IF NECESSARY

8 SIGNIFICANCE

PERIOD		AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW		
<input type="checkbox"/> PREHISTORIC	<input type="checkbox"/> ARCHEOLOGY-PREHISTORIC	<input type="checkbox"/> COMMUNITY PLANNING	<input type="checkbox"/> LANDSCAPE ARCHITECTURE	<input type="checkbox"/> RELIGION
<input type="checkbox"/> 1400-1499	<input type="checkbox"/> ARCHEOLOGY-HISTORIC	<input type="checkbox"/> CONSERVATION	<input type="checkbox"/> LAW	<input type="checkbox"/> SCIENCE
<input type="checkbox"/> 1500-1599	<input type="checkbox"/> AGRICULTURE	<input type="checkbox"/> ECONOMICS	<input type="checkbox"/> LITERATURE	<input type="checkbox"/> SCULPTURE
<input type="checkbox"/> 1600-1699	<input checked="" type="checkbox"/> ARCHITECTURE	<input type="checkbox"/> EDUCATION	<input type="checkbox"/> MILITARY	<input type="checkbox"/> SOCIAL/HUMANITARIAN
<input type="checkbox"/> 1700-1799	<input type="checkbox"/> ART	<input type="checkbox"/> ENGINEERING	<input type="checkbox"/> MUSIC	<input type="checkbox"/> THEATER
<input checked="" type="checkbox"/> 1800-1899	<input type="checkbox"/> COMMERCE	<input type="checkbox"/> EXPLORATION/SETTLEMENT	<input type="checkbox"/> PHILOSOPHY	<input type="checkbox"/> TRANSPORTATION
<input type="checkbox"/> 1900-	<input type="checkbox"/> COMMUNICATIONS	<input type="checkbox"/> INDUSTRY	<input type="checkbox"/> POLITICS/GOVERNMENT	<input type="checkbox"/> OTHER (SPECIFY)
		<input type="checkbox"/> INVENTION		

SPECIFIC DATES 1860 for High St. building
 BUILDER/ARCHITECT probably builder and architect is John A. Kennard

STATEMENT OF SIGNIFICANCE

The Kent Hundred Court began to function around 1639, moving from home to home. In 1674 it was transferred from Kent Island to Eastern Neck Island and the home of Joseph Wickes as ordered by the Governor. By 1679 there was a courthouse on Eastern Neck at New Yarmouth. The April-May session of the General Assembly of 1696 saw an act passed providing for a move to a more convenient site. The Justices of Kent County were authorized to purchase 3 acres and could condemn a site if no price was agreed upon.

The August 1696 jury was called upon to lay out and value 3 acres. On 9/1 they reported the land was valued at 2,000 lbs. of tobacco.

£ 200 to go to Simon Wilmer to lay out the land and record it.

£ 6,000 to John Sutton to build the Court House.

£ 2,000 to pay for the land. Sutton was finished with at least a major part of it by 1/28/96. It was in use 3/23/97. Court was held there until 3/1719 and did not meet again until 6/20 as the Court House had burned.

John Earle repaired the court house and was done by 6/15/1721. The cost was 55,000 lbs. of tobacco so it is surmised it was from bottom up, a job of really completely rebuilding it.

In the mid 18th century the citizens asked for a larger court house. The General Assembly in 1750 authorized £50,000 for a new one. The records office was attached to it in 1796 at a cost of £400 current money. In 1836 \$700 current money was voted to enlarge the Court House.

In 1860 an act was passed to take down the present court house and erect a new one on the same location in the Public Square. A bond issue was for \$12,000.

In 1937 the Court House was remodelled and the newer, much larger addition facing Cross St. was built in 1969.

Kent is fortunate to have many of its early records still surviving, and while the earliest extant Court House is not nearly as old as these records (built 1860) it is important for its architecture of the time and its involvement in the County.

9 MAJOR BIBLIOGRAPHICAL REFERENCES

The County Courthouses and Records of Md. Part 1 & 2, by Morris L. Radoff, Pub. #12, The Hall of Records Com., State of Md., Annapolis, 1960/

Fred G. Usilton, History of Kent County

CONTINUE ON SEPARATE SHEET IF NECESSARY

10 GEOGRAPHICAL DATA

ACREAGE OF NOMINATED PROPERTY unknown

originally the amount of land purchased was 3 acres but this has decreased as part was deeded to Emmanuel Episcopal Church, and to the Masons for their building. The jail also sits on this property. The County Commissioners Administrator told me that when building the

VERBAL BOUNDARY DESCRIPTION

latest addition the surveyors had amost difficult time with no records of boundaries, etc. to go by.

On part of the Public or Market Square in Chestertown, High and Cross and Lawyers Row (Court St.)

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE

COUNTY

STATE

COUNTY

11 FORM PREPARED BY

NAME / TITLE

Kathleen B. White, Historic Site Surveyor

ORGANIZATION

Md. Historical Trust/City of Chestertown

DATE

Sept. 1976

STREET & NUMBER

TELEPHONE

CITY OR TOWN

STATE

The Maryland Historic Sites Inventory was officially created by an Act of the Maryland Legislature, to be found in the Annotated Code of Maryland, Article 41, Section 181 KA, 1974 Supplement.

The Survey and Inventory are being prepared for information and record purposes only and do not constitute any infringement of individual property rights.

RETURN TO: Maryland Historical Trust
The Shaw House, 21 State Circle
Annapolis, Maryland 21401
(301) 267-1438

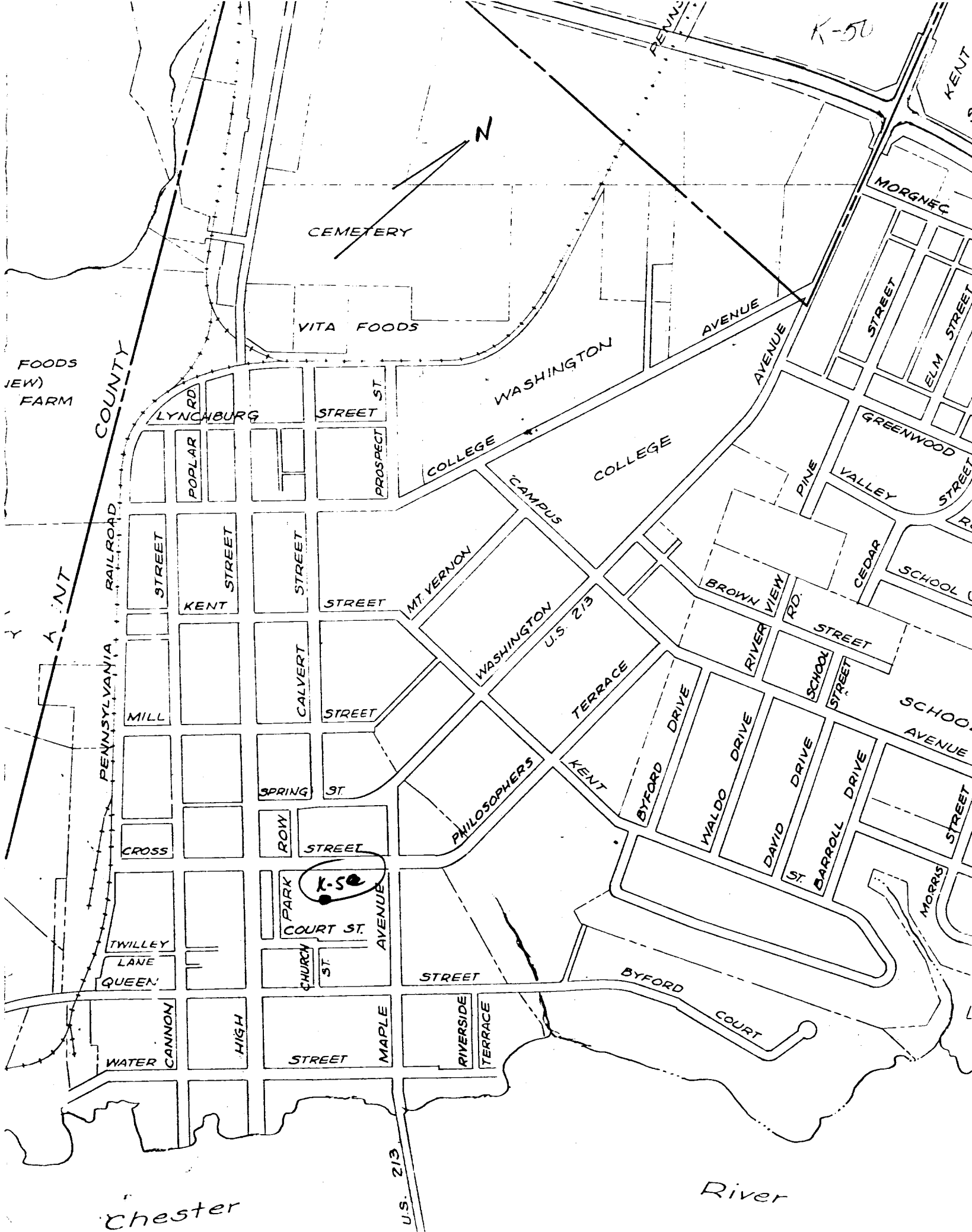
Court House, Chestertown

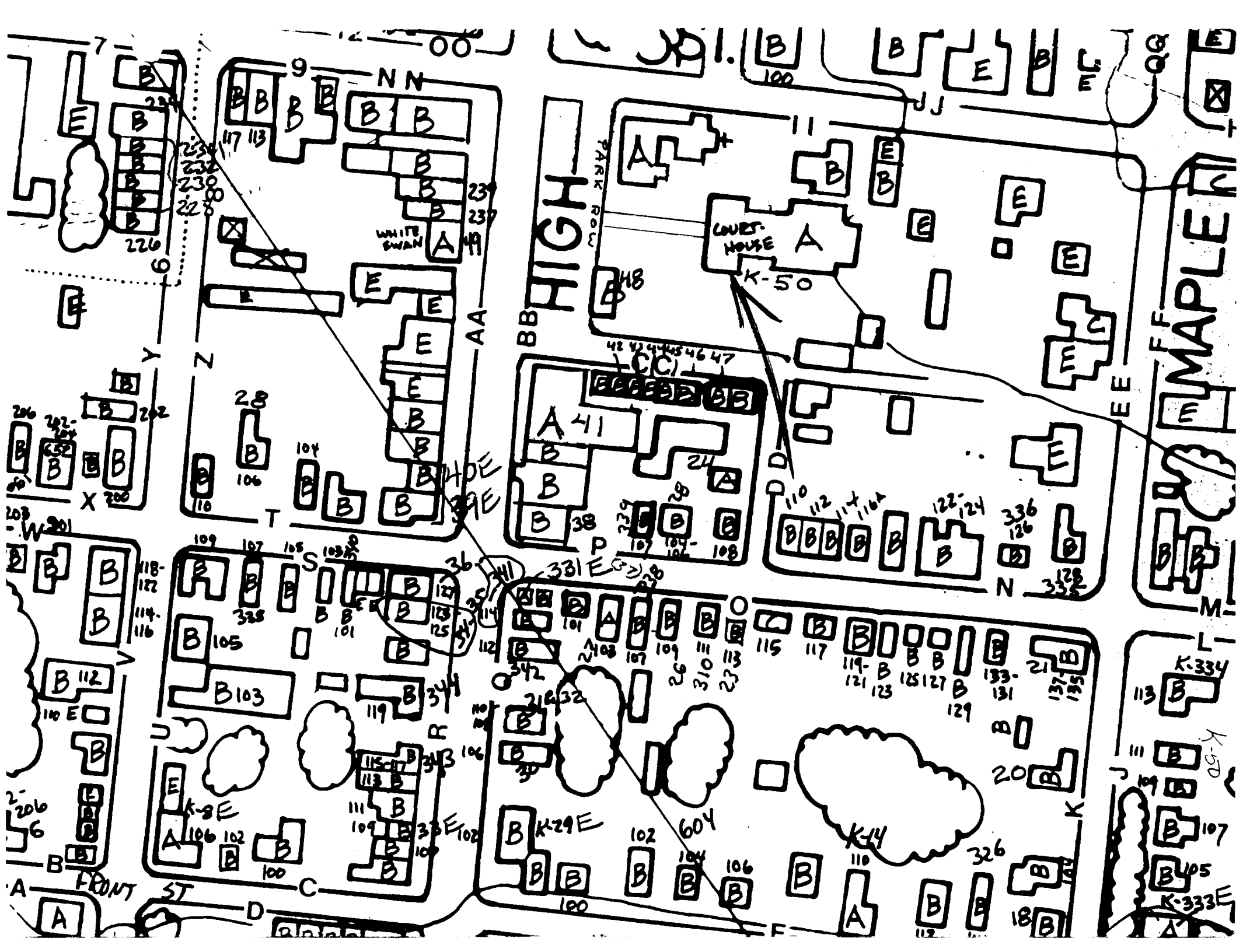
The present Court House section facing on High St. was erected in 1860, the former one having been torn down just prior to this action. The original one had been built on the same site about 1700. had burned and had repairs done in 1720.

In 1937 the present Court House was remodelled and the new much larger addition facing on Cross St. was built in 1969.

The town plat shows the land having been set aside in the planning of the town for such facilities.

Kent is fortunate to have many of its early records still surviving, and while the earliest extant Court House is not nearly as old as these records it is important for its architecture of the time and its involvement in the County.







K 50 Count House

1/77 S + E



X50 Court House
1/77 S



COURT HOUSE AREA (10)

93%

R⁵⁰ Court House area
Chesterton -

PS 16 93%

22'
22'
—
52'
14h!